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Agenda item 51
Comprehensive review of the whole question of peacekeeping operations in all their aspects

Security Council
Seventy-first year

Letter dated 30 November 2016 from the Permanent Representative of Senegal to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the concept note entitled "Policy framework on intelligence in Peacekeeping Operations", which was drafted for the meeting of the Working Group on Peacekeeping Operations that I chaired on 27 July 2016 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 51, and of the Security Council.

(*Signed*) Fodé **Seck**
Ambassador
Permanent Representative

16-21687 (E) 131216 141216

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Annex to the letter dated 30 November 2016 from the Permanent Representative of Senegal to the United Nations addressed to the Secretary-General

Concept note on the theme "Policy framework for intelligence in United Nations peacekeeping operations" for the Working Group on Peacekeeping Operations

[Original: English]

I- BACKGROUND

Peacekeeping operations have always gathered and analysed information to better ensure the safety and security of peacekeepers, understand their operating environments, and maintain a strategic overview of developments in the mission area. As peacekeeping missions have evolved, so too have the capabilities, processes and procedures required for these purposes. Particularly in high-tempo, complex and dangerous operating environments where peacekeepers are directly targeted, better and more systematic intelligence gathering, management and analysis practices are required. As requirements in this area continue to grow, and as the nature of the tools deployed to the field evolves, there is a need to strengthen the framework around intelligence in field missions and at DPKO Headquarters to articulate a consistent and principled approach to intelligence firmly grounded in United Nations values; to establish a robust regime of oversight and accountability; and to enable an effective, responsible, integrated and secure whole-of-mission approach.

It is to this end that the Secretariat, in close consultation with and in response to guidance from Member States, is developing a Policy Framework for Intelligence in United Nations Peacekeeping Operations. This process has been iterative, relying heavily on the expertise of Member States to define the appropriate parameters within a United Nations peacekeeping context, recognizing that no single model will be appropriate for all missions. In the course of several engagements with Member States, a number of important areas for consideration have emerged. As another stage in this consultative process, this note captures some of these concerns and discusses proposed approaches to addressing these issues and mitigating risks. Feedback on these proposed approaches will inform the development of the Policy Framework, which will be the subject of ongoing dialogue with Member States in a variety of fora, including the Special Committee on Peacekeeping Operations.

II- ENHANCING THE INTELLIGENCE CAPABILITIES OF UNITED NATIONS PEACEKEEPING OPERATIONS

Over the past several years the mandates of peacekeeping operations and the threats they face have led the Security Council, Member States and Secretariat to consider intelligence as critical in ensuring missions' safety, security and effectiveness. In addition to Mali, which is discussed below, current examples include the DRC, where the mission is mandated to conduct offensive operations against mobile armed groups in jungle terrain and provide operational support to the FARDC; South Sudan, where the highly volatile security situation can deteriorate into heavy fighting with little notice and pose grave threats to civilians; and Darfur, where peacekeepers' safety and security and freedom of movement is often threatened by armed criminal elements. The 2016 report of the Special Committee on Peacekeeping Operations (A/70/19) recognised such developments and, in paragraph 52, "…acknowledges the need to improve situational awareness, and to enhance the safety and security of peacekeepers, including through the use of modern technology as a complement to traditional ways such as human information gathering… [and] encourages the Secretariat to develop a more cohesive and integrated United Nations system for situational awareness… [and ensure] capabilities are integrated effectively into mission operations and the confidentiality of all data gathered by such assets is preserved".

Innovations at Headquarters and in the field

For uniformed components, much of the work to enhance intelligence capacities for peacekeeping operations has been conducted under the strategic Uniformed Capabilities Development Agenda, which seeks to fill critical current and anticipated capability gaps for military and police units in peacekeeping operations. Initiatives being implemented as part of this agenda include projects to increase the capacity of missions to operate effectively and safely in threat environments characterized by the use of improvised explosive devices; to better understand transnational factors by enhancing mission criminal intelligence and capacity building expertise; and to develop operational guidance for police components which, the Strategic Guidance Framework for United Nations Policing articulates an approach to intelligence-led and community-oriented policing.

In addition, several innovations originating in the field have contributed to enhanced intelligence/information analysis capacities. The deployment of unarmed unmanned aerial vehicles (UAVs) to MONUSCO and subsequently other missions has added a new and

important dimension to information collected and analyzed by missions. Increased and more diverse modalities for engagement with local populations, such as the introduction of Community Liaison Assistants and the more systematic use of local perception surveys, have enabled a richer understanding of local populations and their priorities and concerns. The ongoing integration of the SAGE common incident tracking platform in field missions and rollout of a Mission Common Operational Picture (MCOP) data visualization platform will enhance situational awareness and decision making support that will help all mission components to plan and undertake mandated tasks safely and effectively.

MINUSMA and the ASIFU

In Mali, the mission is mandated to support stabilization and the implementation of a transitional roadmap while facing persistent threats of direct attacks from armed groups that employ asymmetric tactics. The nature of these threats prompted the Secretariat to deploy an All Sources Information Fusion Unit (ASIFU) to MINUSMA, the first of its kind in a United Nations peacekeeping operation. The ASIFU brings a diverse variety of military intelligence capacities under a single command to acquire, fuse and analyse information into intelligence products in a centralized facility. The continued requirement for such capacities has been repeatedly reflected in guidance from the Security Council, which in paragraph 31 of resolution 2295 of 29 June 2016 requested the Secretary-General to take "all appropriate additional measures and, in consultation with troop contributing countries, to identify options, including seeking the support of Member States, to enhance the safety and security of MINUSMA's personnel to enable MINUSMA to execute effectively its mandate in a complex security environment that includes asymmetric threats, including through improving MINUSMA's intelligence capacities, including surveillance and monitoring capacities, within the limits of its mandate…".

The deployment of an ASIFU in Mali has been an instructive experience for the Secretariat that will inform the development of the Policy Framework for Intelligence. In late 2015, a lessons learned exercise conducted by the Secretariat confirmed that an enhanced military intelligence function in MINUSMA was critical if the mission was to operate safely and effectively in such an environment. However, the exercise identified important opportunities to enhance the effectiveness of an intelligence structure in meeting the requirements of the mission in a United Nations multidimensional peacekeeping context. These included the full integration of functions performed by the ASIFU into the mission

structure, clear divisions of labour and coordination across the mission's uniformed and civilian components, including the Criminal Intelligence Unite and the Joint Mission Analysis Centre, and an approach to information security that would meet troop contributing countries' requirements for operational security while permitting an inclusive approach to information sharing. Based on these lessons, the exercise developed plans for a new intelligence architecture for MINUSMA designed to maximize the impact of all civilian, military and police intelligence and analysis assets, including the centralization of military intelligence functions in a single Force Headquarters organization. These recommendations are now being taken forward, in close collaboration with relevant troop contributing countries. The lessons learned exercise also identified a number of important policy issues that emerge from the use of intelligence assets in United Nations peacekeeping missions, many of which are reflected as part of this note.

III- KEY AREAS FOR CONSIDERATIONS FOR A POLICY FRAMEWORK

In February 2016 the Under-Secretary-General for Peacekeeping Operations conveyed to the Special Committee on Peacekeeping Operations the Secretariat's intention to develop a Policy Framework for Intelligence in United Nations Peacekeeping Operations as an iterative and consultative process relying heavily on the advice of Member States. Since then, several consultative engagements have taken place in a variety of fora, including a senior-level dialogue with Member States on 31 May 2016, in which the Secretariat presented an initial set of areas to be covered by the Policy Framework, including overarching principles, scope, key definitions structures and functions of an intelligence cycle, and legal considerations, and sought feedback from Member States.

During this and other engagements, a number of key areas for consideration have been raised as common concerns for Member States and the Secretariat. Identifying and implementing satisfactory solutions for these issues will be critical to ensuring the effectiveness and sustainability of intelligence as a function of United Nations peacekeeping operations. This will require sustained and detailed collaboration between the Secretariat and Member States. The following is a non-exhaustive list of key areas requiring discussion and, ultimately, resolution as part of the process to develop the Policy Framework. For each, aspects of potential approaches identified by the Secretariat are presented for consideration by Member States.

Information gathering and analysis

Definitions, limitations and parameters for operations: For some, the use of the term "intelligence" raises a number of questions about its meaning in a United Nations peacekeeping context. At its core, intelligence is a relatively neutral term describing information that has been 1) collected according to set requirements and 2) processed and analyzed to identify meaning. However, many associate the term with clandestine tactics and practices. Member States have thus questioned how the Secretariat will define intelligence in a manner that is consistent with the principles, doctrine and policies of the United Nations.

To address this concern, the Policy Framework would explicitly state that peacekeeping operations would not, except under exceptional circumstances, collect information by clandestine technical or human means and would be fully transparent in the tools they use. The Policy Framework would reinforce respect for all existing international legal and human rights obligations of mission and would refer to applicable elements of the United Nations Charter and international human rights and humanitarian law, such as the International Covenant on Civil and Political Rights, that would require missions to "avoid arbitrary or unlawful interference with [the] privacy, family, home or correspondence," of individuals. The operational and tactical limitations implied by these parameters could be reflected in mission-specific Intelligence Support Plans or Standing Operating Procedures, which would identify the appropriate (and inappropriate) techniques, tactics and procedures for intelligence in the mission and detail how the mission's intelligence activities will be regulated within the oversight and accountability regime established by the Policy Framework.

Sensor information gathering near neighboring countries: A number of Member States that border countries hosting peacekeeping operations have expressed concern that information collection tools, particularly aerial surveillance assets, could violate their sovereignty by gathering information on or about their territories. Although the legal foundations for peacekeeping operations clearly limit missions' activities to their areas of operations – i.e., within the host state – some have nevertheless expressed concern that

sensors collecting information near borders might inadvertently cross boundaries or collect information from neighbouring countries.

Since the first deployment of unmanned aerial systems to MONUSCO, the Secretariat has identified and implemented a number of lessons to mitigate the risk of entering into the airspace or inadvertently acquiring information on neighboring countries, including the development of guidance establishing areas of controlled access with progressive levels of authorization. Moreover, sensors can be programmed to exercise "shutter control" to limit their focus to authorized areas only. Provisions for such measures could be reflected in the Policy Framework as an integral element of a mission's Intelligence Support Plan or Standing Operating Procedure.

Information security and confidentiality

For mission intelligence systems to operate effectively and responsibly, the Secretariat must be able to ensure that sensitive information managed within the system and products disseminated by the system will be treated securely and with due respect for confidentiality. This is critical in at least two respects: first, to ensure the operational security of the mission, limit the dissemination of sensitive information within the mission, and protect sources and personnel; and, second, to meet the national operational security requirements of TCCs/PCCs that have deployed units that contribute to the missions' intelligence acquisitions, such as Intelligence, Surveillance and Reconnaissance (ISR) units and relevant Specialized Police Teams.

Secure systems: Missions that employ more robust intelligence capabilities or regularly handle highly sensitive information may require enhanced secure information management and communications systems beyond those normally used in peacekeeping operations. Such systems require sophisticated technological solutions as well as detailed management and oversight mechanisms for those working within them, and can be costly. As part of efforts to enhance the intelligence capabilities of MINUSMA, for example, the Secretariat is in the process of acquiring and deploying a United Nations-managed secure system covering the military intelligence structure to replace a similar system initially deployed as part of the ASIFU. The technical requirements and roles and responsibilities for the management of this system are being developed in close collaboration with relevant TCCs and could inform the eventual deployment of a system with broader coverage.

Classification and handling: While classification standards, roles and responsibilities, and handling procedures for sensitive information are clearly established by United Nations[1] and DPKO/DFS[2] policy, it is widely acknowledged that, in reality, information handling, oversight and accountability practices in United Nations peacekeeping operations may not always be sufficient to maintain the confidence of Member States. To address this gap, the forthcoming deployment of the United Nations-managed secure information management and communications system in the MINUSMA military intelligence structure has spurred detailed planning and development of practice on issues of access rights and electronic oversight tools, physical premises architecture, ISR unit liaison mechanisms and human resources modalities in the U-2, in close consultation with relevant TCCs. Once implemented, this approach can be learned from and replicated elsewhere as appropriate, which will require additional considerations in relation to the civilian and police components. More broadly, the Policy Framework could establish a clear regime of responsibility, accountability and oversight for the handling of information within the intelligence cycle at all stages of the chains of custody and command.

Information ownership

Legally, all information gathered by units or personnel (civilian or uniformed) deployed as part of a United Nations peacekeeping operation is the property of the mission, regardless of where or by whom it is held. As such, the management, use and sharing of this information is the sole decision of the United Nations. With the introduction of more advanced intelligence tools, tactics and procedures to peacekeeping operations, however, this principle will need to be reconciled with the national legal frameworks of many TCCs/PCCs, which include requirements to manage information so as to maintain operational security and minimize risk. This has given rise to calls for the Secretariat to clarify issues of information ownership and handling and set clear parameters for the flow, retention and disposal of information gathered by units or individuals operating as part of peacekeeping operations.

To bring clarity to these issues, the Policy Framework would outline the principles and limitations for the use, storage, retention and disposal of information gathered by peacekeeping operations and strengthen the provisions governing the use of collection assets

[1] ST/SGB/2007/6 on information sensitivity, classification and handling, for the purposes of ensuring the classification and secure handling of confidential information entrusted to or originating from the United Nations.
[2] DPKO/DFS Standard Operating Procedure on Access to Information (2010)

by TCCs/PCCs in missions. For example, Letters of Assist for airframes provided by TCCs for use by ISR units could be amended to include detailed terms for the use of information gathered by the tools, regardless of where the information is held and at which stage of custody; similar provision are currently included in agreements for airframes managed as mission assets.

IV- KEY QUESTIONS FOR DISCUSSION

- Do the areas for consideration described in this document reflect the priorities and concerns of Member States for development of the Policy Framework and for the effective, responsible and efficient execution of intelligence activities in peacekeeping operations? Are there any other areas that should be addressed?
- Would the approaches proposed in this document satisfy Member States concerns in these key areas?
- What coordination and management approaches are required to enable a fully integrated, whole-of-mission (i.e. integrated civilian and uniformed) approach to intelligence?
- What oversight functions would be required at all levels to maintain trust in mission intelligence structures?

United Nations S/2016/1034

Security Council

Distr.: General
1 December 2016

Original: English

Letter dated 1 December 2016 from the Permanent Representatives of France, Japan, Malaysia, New Zealand, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay to the United Nations addressed to the President of the Security Council

We, the undersigned members of the Security Council, request a meeting of the Council on the situation in the Democratic People's Republic of Korea, pursuant to rule 2 of the provisional rules of procedure of the Council.

We request that a senior official from the United Nations Secretariat and a senior official from the Office of the United Nations High Commissioner for Human Rights formally brief the Security Council at a meeting under that agenda item, which will enable Council members to receive further information from the Secretariat on this situation and its implications for international peace and security.

We would be grateful if the present letter could be circulated as a document of the Security Council, with a view to consideration of the agenda item as early as possible in the month of December.

(*Signed*) François **Delattre**
Permanent Representative of France to the United Nations

(*Signed*) Koro **Bessho**
Permanent Representative of Japan to the United Nations

(*Signed*) Ramlam Bin **Ibrahim**
Permanent Representative of Malaysia to the United Nations

(*Signed*) Gerard **van Bohemen**
Permanent Representative of New Zealand to the United Nations

(*Signed*) Román **Oyarzun Marchesi**
Permanent Representative of Spain to the United Nations

(*Signed*) Volodymyr **Yelchenko**
Permanent Representative of Ukraine to the United Nations

(*Signed*) Matthew **Rycroft**
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations

16-21582 (E) 061216

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(*Signed*) Samantha **Power**
Permanent Representative of the United States of America
to the United Nations

(*Signed*) Elbio **Rosselli**
Permanent Representative of Uruguay to the United Nations

United Nations S/2016/1035

Security Council

Distr.: General
7 December 2016

Original: English

Letter dated 6 December 2016 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

Please find attached herewith the official position of the Government of the Republic of Yemen regarding the road map presented by the Special Envoy of the Secretary-General for Yemen, which highlights the inconsistencies between that road map and the peace terms (see annex).

I would greatly appreciate it if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Khaled H. **Alyemany**
Ambassador
Permanent Representative

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Annex to the letter dated 6 December 2016 from the Permanent Representative of Yemen to the United Nations addressed to the Secretary-General

[Original: Arabic]

Inconsistencies between the road map proposed by the Special Envoy and the established terms of reference for addressing the Yemeni crisis

I. Introduction

As is well known, the Gulf Cooperation Council (GCC) initiative and its implementing mechanism set forth a road map consisting of two phases. The first phase would begin with the entry into force of the implementation mechanism and end with the inauguration of a President following an early presidential election. The election of President Abdrabuh Mansour Hadi Mansour confirmed the legitimacy of the process and was supported by Security Council resolutions 2014 (2011), 2051 (2012), 2140 (2014), 2175 (2014), 2201 (2015), 2204 (2015), 2216 (2015) and 2266 (2016), and by the presidential statements of 15 February 2013 (S/PRST/2013/3), 29 August 2014 (S/PRST/2014/18), 22 March 2015 (S/PRST/2015/8) and 25 April 2016 (S/PRST/2016/5). The second phase would begin with the inauguration of the President after the early presidential elections, and would end with a general election in accordance with the new Constitution.

The GCC initiative and its implementing mechanism provide that their implementation should be overseen by the elected authorities, which should convene a broad national dialogue leading to the adoption of the national constitution and election of the President of the Republic and the new legislative authority.

Because he was committed to the outcomes of the National Dialogue Conference, and because he sought to implement the GCC initiative and its implementing mechanism, President Hadi established the institutions provided for by the initiative. These included the National Dialogue Conference, the Constitution Drafting Committee and the national commission to monitor implementation of the outcomes of the Conference. The National Dialogue Conference culminated in a document on which Yemenis of all political allegiances agreed. That document became the draft constitution, which would be discussed and endorsed by the national commission before being voted on by the people. All 17 members of the Constitution Drafting Committee endorsed the draft constitution.

The Houthi-Saleh militias interrupted and reversed a clear and specific political process. They occupied the capital Sana'a by military force, plundered Government institutions, took weapons from barracks, placed President Hadi and senior members of the Government under house arrest, overran cities by force of arms, and used aircraft to bomb the headquarters of the elected President.

The transition took place under the auspices of the United Nations. Security Council resolutions have consistently stated that the Council would remain seized of the Yemeni situation and strongly encouraged the realization of a political transition

consisting of presidential elections, a dialogue conference and the drafting of a constitution.

Security Council resolutions have therefore clearly condemned the coup perpetrators, and clearly spelled out the need to turn the page of Ali Abdullah Saleh's rule as an essential step in order for the transition of power to be complete. The former President, Ali Abdullah Saleh, his son Ahmed Ali Abdullah Saleh, Abdulmalik al-Houthi and two leaders of the latter's group have been included on a sanctions list as threats to international peace and security. The resolutions have referred frankly to the Houthis as spoilers. For instance, the preambular section of Security Council resolution 2201 (2015) expresses alarm at the acts of violence committed by the Houthis and their supporters, which have undermined the political transition process in Yemen, and jeopardized the security, stability, sovereignty and unity of Yemen. The resolution thus states that it is the Houthis who have undermined the political process. Having specified who the spoilers are, the resolutions demand that the Houthis withdraw and relinquish their arms. Security Council resolution 2216 (2015), for instance, demands that they take those actions immediately and unconditionally.

We therefore believe that the road map is inconsistent with the provisions of those resolutions and the outcomes of the National Dialogue Conference. It completely reverses the GCC initiative and contradicts the will of the people and democratic methods. It accommodates a coup situation that imposed itself by force of arms. The most prominent inconsistencies between the road map and the terms of reference are set out below.

II. The road map supersedes the GCC initiative and its implementing mechanism

The GCC initiative and its implementing mechanism set forth in detail the entitlements that are applicable in the transitional period and the mechanisms for the transfer of power and the supervision of the transition phase. Because the GCC initiative and its implementing mechanism are part of the terms of reference of the political consultations, the political process should go back to the point that it had reached before being interrupted by the coup. However, the proposed road map is not based on the GCC initiative and its implementing mechanism. Rather, it sets out an alternative way to determine future entitlements, and describes a mechanism for the transfer of powers that is completely at odds with the one set out in the GCC initiative. The latter tasks the elected President and the Government with overseeing and following up implementation of the GCC initiative and its implementing mechanism. It provides as follows: "the newly elected President and the Government of national reconciliation shall exercise all of their customary functions as set forth in the Constitution. In addition, they shall exercise the powers necessary to continue the tasks specified for the implementation of the first phase, and additional tasks specified for the second phase of the transfer of power". The prerogatives of the elected President also include submitting the Constitution to a referendum, convening elections and appointing a head of Government. The road map is inconsistent with and clearly departs from those terms of reference.

III. The road map contravenes the outcomes of the National Dialogue Conference

(a) One such area is the appointment of the head of Government. The outcomes of the National Dialogue Conference provide as follows: "the President of the Republic shall exercise his constitutional prerogatives to change the Government in order to guarantee competence, transparency and national partnership. He shall do the same for the executive organs at the central level and in the governorates, in order to guarantee national partnership and competence".

(b) Another such area is the appointment of the Government. The Government is a State institution whose establishment was explicitly provided for by the GCC initiative, its implementing mechanism and the outcomes of the National Dialogue Conference, with a view to guaranteeing partnership and compromise in the fulfilment of its functions. The outcomes of the National Dialogue Conference task the President of the Republic with changing the Government with a view to guaranteeing competence, transparency and national partnership. The Ould Cheikh Ahmed road map violates that provision: it strips those rights from the elected President without justification, and grants them to a person to be appointed as a Vice-President. In so doing, it clearly contravenes the agreed terms of reference for that phase.

(c) The road map grants the National Commission the right to approve the members of the Government, something that contravenes the GCC initiative, its implementing mechanism and the outcomes of the National Dialogue Conference.

(d) The road map calls for a new dialogue regarding the points agreed upon at the all-inclusive National Dialogue Conference, including national reconciliation, transitional justice and the draft constitution. It would be impossible to reopen those issues, as doing so would contravene, or even reverse, the outcomes of the National Dialogue Conference. The road map proposed by Ould Cheikh Ahmed does not offer any solution to the current crisis. Instead, it bypasses the crisis to create new crises, propagate ideas that undermine the agreed terms of reference, sow the seeds of future conflicts, and reopen issues that Yemenis had settled and that had become part of the terms of reference to which they appeal.

(e) If the road map proposed by Ould Cheikh Ahmed were implemented in its current form, there would be negative repercussions for several issues, including the southern question, which is addressed in the outcomes of the National Dialogue Conference.

IV. The road map contravenes Security Council resolution 2216 (2015) and other relevant resolutions

(a) Security Council resolution 2216 (2015) and other relevant resolutions are based on a clear definition of the essence of the conflict in Yemen, namely, that it pits the elected authorities against a coup faction. All of the Security Council resolutions stem from the international community's recognition of the authority of the elected President, Abdrabuh Mansour Hadi. They presuppose the need to continue working with the legitimate, elected authorities against the coup faction in

order for the latter to submit to the State, return its looted weapons, relinquish its hold on the institutions and withdraw from the cities. In contrast, the substance of the road map is to entrench the coup against the authority of the elected President, Abdrabuh Mansour Had. The road map establishes an equivalence between the two sides and entrenches the authority of the coup, thereby contravening the substance and spirit of Security Council 2216 (2015).

(b) Security Council resolution 2216 (2015) unequivocally obliges the Houthis to withdraw immediately and unconditionally, refrain from using force, withdraw their forces from all areas and relinquish all of their weapons. Paragraph 1 demands that the Houthis immediately and unconditionally end the use of violence; withdraw their forces from all areas they have seized, including the capital Sana'a; and relinquish all additional arms seized from military and security institutions. The resolution also makes it clear that the Houthis should hand over to the legitimate authorities and reaffirms its support for the legitimacy of the President, Abdrabuh Mansour Hadi. Paragraph 1 calls for the Houthis to cease all actions that are exclusively within the authority of the legitimate Government of Yemen. That provision makes it clear that there is a side that should withdraw and hand over its weapons, namely, the Houthis and their allies, and another side that should take receipt of those weapons, namely, the legitimate authorities. However, the road map comes across as hesitant and vague. It provides that the weapons should be handed over to an unspecified third party, according to unspecified modalities. In so doing, it sows the seeds of crisis, disruption and discord.

(c) The proposed road map is mostly vague. It is broad where it should be detailed, and detailed where it could have been broad. Ironically, the only clear point in it is the mechanism by which the elected President would hand over his power and relinquish his prerogatives. The road map clearly identifies the mechanism by which the elected President would hand over power, in a manner that is contrary to the Constitution and the terms of reference; yet it is less clear in specifying the fate of the coup leaders, those included on the international sanctions list, and the leaders involved in war crimes against Yemenis. Paragraphs 16-19 of Security Council resolution 2216 (2015), and paragraphs 17-19 of Security Council resolution 2140 (2014), address the sanctions imposed on Ali Abdullah Saleh, his son Ahmed Ali Abdullah Saleh, Abdulmalik al-Houthi, Abd al-Khaliq al-Houthi, Abu Ali al-Hakim as threats to international peace and security. The road map ignores the future of the former President, his family members and the coup leaders of the Houthi group. It is as though the legitimate Government were the one guilty of the coup.

(d) The road map does not provide sufficient assurances of success; it merely urges the parties to implement it. It is important to recall the course of the conflict in Yemen. The Houthi group began by overthrowing the authorities in the district of Dammaj, and then in the city of Amran. Next, they besieged and stormed the capital; surrounded and attempted to kill the President; and completed the takeover of the cities of Ta'izz, Hudaydah, Bayda' and even Aden. The international community, including the sponsor States, has engaged with the facts on the ground, rather than with the provisions of the Security Council resolutions, which are binding. It has failed to put pressure on the coup faction, or to enforce its resolutions. Because of that catalogue of failures, the assurances provided are inadequate.

We fear that attempts to undermine or detract from legitimate authority raise numerous risks. Most importantly, there is a threat that if this plan fails, as it surely will, the conflict will become a clash of identities, one that is waged on a confessional, sectarian or ethnic basis. It is plain for all to see that only terrorist, violent and extremist groups would stand to gain.

V. The road map raises numerous security problems

(a) The road map does not clearly specify a mechanism for the establishment of the military and security committee, or the prerequisites for membership. That topic took up most of the negotiations in Kuwait, but no agreement was reached. We wish to emphasize that establishing such committees and determining their functions is the prerogative of the elected President.

(b) The road map calls for a tentative agreement that includes both security and political arrangements. That idea is contrary to the provisions of Security Council resolution 2216 (2015), paragraph 1, subparagraphs (b) through (e) of which set out clear arrangements for implementing the resolution. First, the Houthis should immediately withdraw their forces from all areas they have seized. Next, they should relinquish all additional arms seized from military and security institutions. The idea of a security and military plan presupposing that the coup should first come to an end has been conflated with the political process defined by the GCC initiative from the beginning of the transfer of power to the election of a new President on the basis of the new Constitution.

(c) In order to secure the cities and, in particular, the city of Sana'a, the road map relies on the security and military forces that are present there. Some of those forces would be requested to leave, and others would stay in the city in order to keep it secure. That division ignores the fact that the forces located in Sana'a are mostly completely loyal to the former President and the Houthis. It would have been more appropriate for the road map to propose a mechanism ensuring that the security and military forces are established on the basis of loyalty to the nation, rather than being based on the forces currently in place, which mostly come from specific areas and whose loyalty is not to the nation.

(d) The road map does not specify what will happen to soldiers who joined the army and security forces after the coup, or what will happen to the new military and security decisions taken by the de facto authorities, or how to address the significant changes made by the coup militias to the military and security environment; tens of thousands of coup militia fighters have joined the military and security institutions.

(e) The road map proposes that ballistic missiles should be handed over to a third party. It also mentions military and security committees without specifying how they should relate to the Government. This means that new military forces will emerge. The road map does not set out a working mechanism for those forces, or specify how they should be regulated or coordinate with one another.

(f) The road map does not provide for a full withdrawal from all governorates and institutions. It does not even specify that the withdrawals from Sana'a, Hudaydah and Ta'izz should take place concurrently. It does not specify

how medium and heavy weapons should be handed over, or the types and quantities of such weapons, which, along with vehicles and other materiel, were looted from the general depot of the armed forces, military zones, divisions and brigades, the depots of the Ministry of the Interior in all regions and sectors, the counter-terrorism units and the security services (National Security, Political Security and Military Intelligence). Other weapons, equipment, vehicles and missiles were obtained during and after the coup through illegal means, including smuggling.

(g) The security road map mentions military units, but fails to address armed militias, popular committees, revolutionary committees, or the military entities that are currently administering Sana'a by force of arms.

Conclusion

(a) The road map proposed by Ould Sheikh Ahmed flagrantly reverses the three terms of reference. It is a free gift to the coup forces, and it legitimizes their rebellion and their heinous, destructive project. It sows the seeds of a new phase of bloody conflict.

(b) It sets a dangerous international precedent that encourages coups against elected authorities and national consensus.

(c) The peaceful transition of power that took place in Yemen in 2012 followed a peaceful revolution across the country and a political agreement that was enshrined in the GCC initiative and its implementing mechanism and endorsed by the international community. The agreement led to the free and transparent election of the President of the Republic, as is stated in all of the Security Council resolutions and statements referred to above. However, the mechanism for the transition of power proposed by the Ould Cheikh Ahmed road map seeks to entrench the coup and armed rebellion, providing them with complete cover and paving the way for their recognition by the international community. This also poses a direct threat to the security and stability of neighbouring States, the region and the international community.

(d) If implemented, the proposed road map would reformulate the concept of national partnership developed at the National Dialogue Conference. The new concept would divide power between the legitimate authorities and the authors of the coup, and it would confirm and entrench that arrangement. For the sake of the nation and the future, that outcome must not be accepted.

(e) The road map clearly reverses all of the work and search for consensus that took place under the leadership of the Special Envoy of the Secretary-General in a series of negotiations in Geneva, Biel and Kuwait.

(f) The Ould Cheikh Ahmed road map ignores the repercussions of the coup. For instance, Yemen has become a base for attacks against its neighbours. Missiles are launched every day at Saudi Arabia and its holy sites, something that has shocked the conscience of 1.5 billion Muslims around the world. The situation also poses a threat to international navigation; the strike on the United Arab Emirates vessel and the attempted strikes on United States ships in the Red Sea are cases in point. Regional peace and security have been endangered. The interests of the

Yemeni people have been jeopardized: remittances from Yemenis in neighbouring States, particularly Saudi Arabia, are an important source of revenue and help to shore up the national economy. Lastly, the situation harms the country's historic relations with its neighbours and the region.

Further to those considerations and the comments made above regarding the Special Envoy's plan, we wish to stress that any political solution must be governed by the following points:

(a) A full commitment to the letter and spirit of the three agreed terms of reference, namely, the Security Council resolutions on Yemen, particularly Security Council resolution 2216 (2015); the GCC initiative and its implementing mechanism; and the outcomes of the National Dialogue Conference.

(b) As a basis for any political solution, the coup and its repercussions must be taken out of the picture and considered null and void. The political process must pick up from where it left off, and the legitimate, elected authorities can be changed only through elections. The coup is an obstacle that halted the implementation of the GCC initiative; in order for the political process to be back on track, it must be removed.

(c) Ali Abdullah Saleh, Abdul-Malik al-Houthi, the other individuals listed in Security Council resolutions, and those found to have been involved in the coup or in crimes against civilians, must leave political life. Along with their families, they should go into voluntary exile for at least ten years. The international sanctions adopted against them must be enforced.

(d) The coup militias must withdraw from al towns and institutions, hand over their medium and heavy weapons, and resume the political process from where it left off. The Houthi group must declare that it is committed to a political solution, reject violence, fully abandon armed struggle, and become a civilian political party in accordance with the Constitution and the laws in force.

(e) The so-called constitutional declaration must be rescinded, and all of the decisions taken pursuant to it must be deemed null and void from a constitutional and legal standpoint. The so-called revolutionary committees must be disbanded at all levels; the so-called Political Council must be dissolved; and all aspects and consequences of the coup must be eradicated.

(f) All political prisoners and abductees must immediately be released, and the coup coalition must announce that those directly responsible for the coup will be subjected to a fair trial.

(g) The rights of those affected by the coup must be upheld. This includes those whose homes were demolished using explosives and those who were jailed or abducted. Transitional justice must be realized for all of them and on behalf of those who died in the coup.

If those measures are not taken, any solution will be unfair and will not bring peace and security to Yemenis. Rather it will exacerbate their suffering and pave the way for chaos, poverty and the continued absence of the State, which will only benefit terrorist and violent armed groups.

United Nations S/2016/1036

Security Council

Distr.: General
9 December 2016
English
Original: Russian

Letter dated 6 December 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic for the period 2-5 December 2016 (see annex).

I should be grateful if the text of this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) V. **Churkin**

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Annex to the letter dated 6 December 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (2 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, reconciliation agreements have been signed with representatives of six populated areas in Ladhiqiyah governorate (2), Hama governorate (2), Damascus governorate (1) and Homs governorate (1).

The number of populated areas that have joined the reconciliation process has increased to 1,018.

Negotiations on joining the ceasefire regime continued with field commanders of illegal armed groups in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 88.

Observance of the ceasefire regime

Over the past 24 hours, there were 37 reports of shelling by illegal armed groups in Aleppo governorate (19), Damascus governorate (16) and Dar'a governorate (2).

In Damascus governorate, armed units affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar, Qabun, Mathanat al-Husayniyah, Hawsh al-Faddaliyah and Harasta.

In Aleppo governorate, armed elements of Ahrar al-Sham used mortars to shell the Shaykh Khidr neighbourhood.

Units of the Syrian Free Army group used mortars to shell the Ansari and Salah al-Din neighbourhoods in Aleppo governorate.

In Aleppo governorate, the terrorist groups Jabhat Fath al-Sham (Nusrah Front) and Islamic State in Iraq and the Levant (ISIL) used mortars, handheld anti-tank grenade launchers and small arms to fire on Ansari and also on the Binyamin, Layramun, Salihin, Shaykh Sa'd (three times), Karm al-Nahhas, Karm al-Jazmati, 1070, Amri and Jam'iyat al-Fayha' neighbourhoods, the Castello trade centre, the Assad Military Academy (twice) and the area near the paperboard factory in Aleppo city.

In Damascus governorate, the following were shelled: Hawsh Kharabu (twice), Irbin (four times), Hawsh Nasri (twice), Bilaliyah and Duma, a sports ground in Jawbar and the Wafidin camp.

In Dar'a governorate, terrorists shelled Dilli and Khirbat al-Ghazalah.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours two humanitarian operations were carried out, during which the following humanitarian cargoes were delivered to civilians:

- Approximately 4 tons to the Hananu-3 district in Aleppo city and the Mahalij camp for refugees of Aleppo governorate
- Approximately 1 ton to the Saydnaya district of Damascus governorate

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (3 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, two ceasefire regime agreements have been signed with populated areas in Ladhiqiyah governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,020.

Negotiations on joining the ceasefire regime continued with field commanders of illegal armed groups in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 88.

Observance of the ceasefire regime

Over the past 24 hours, there were 38 reports of shelling by armed groups in Aleppo governorate (19), Damascus governorate (16), Ladhiqiyah governorate (1), Qunaytirah governorate (1) and Hama governorate (1).

In Damascus governorate, armed units affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar, Harasta, Mathanat al-Husayniyah and Hawsh al-Faddaliyah.

Armed elements of Ahrar al-Sham used multiple-launch rocket systems to fire on Azizi in Aleppo governorate; and mortars to shell government troop positions near Abu Ali mountain in Ladhiqiyah governorate.

Units of the Syrian Free Army group used mortars to shell the Ansari neighbourhood in Aleppo governorate.

In Aleppo governorate, the terrorist groups Jabhat Fath al-Sham (Nusrah Front) and Islamic State in Iraq and the Levant (ISIL) used multiple-launch rocket systems, tube artillery, mortars, handheld anti-tank grenade launchers and small arms to fire on Ansari and also on the Binyamin (twice), Layramun, Shaykh Sa'd (twice), Karm al-Jazmati, 1070, Jam'iyat al-Fayha' (twice), Dahiyat al-Assad and Karm al-Nahhas (twice) neighbourhoods, the Assad Military Academy and areas near the paperboard factory, the gasworks and the former military school in Aleppo city.

In Damascus governorate, the following were shelled: Hawsh Kharabu, Irbin (four times), Hawsh Nasri (twice) and Bilaliyah, the Wafidin camp, and a sports ground (twice) and an electric power station in Jawbar.

Terrorists shelled Durin in Qunaytirah governorate; and Suran in Hama governorate.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours one humanitarian operation was carried out in a district of Aleppo city, during which approximately 1.5 tons of humanitarian cargoes were delivered to civilians.

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Additional information

Over the past 24 hours, 10 fighters have left besieged areas of eastern Aleppo with the assistance of the Russian Centre for Reconciliation of Opposing Sides.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (4 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, two ceasefire regime agreements have been signed with populated areas in Ladhiqiyah governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,022.

Negotiations on joining the ceasefire regime continued with field commanders of armed groups in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 88.

Observance of the ceasefire regime

Over the past 24 hours, there were 36 reports of shelling by illegal armed groups in Aleppo governorate (17), Damascus governorate (14), Hama governorate (2), Ladhiqiyah governorate (2) and Qunaytirah governorate (1).

In Damascus governorate, armed units affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar, Bilaliyah and Harasta.

Armed elements of Ahrar al-Sham used small arms to fire on Kinnsibba in Ladhiqiyah governorate.

Units of the Syrian Free Army group used "hellfire" multiple-launch rocket systems to fire on the Salah al-Din neighbourhood in Aleppo city and on Mortlu in Ladhiqiyah governorate.

In Aleppo governorate, the terrorist groups Jabhat Fath al-Sham (Nusrah Front) and Islamic State in Iraq and the Levant (ISIL) used multiple-launch rocket systems, tube artillery, mortars, handheld anti-tank grenade launchers and small arms to fire on Shurfah and Ansari, and also on the Shaykh Sa'd, Tariq al-Bab, 1070, Aquil, Ashrafiyah, Dahiyat al-Assad, Jam'iyat al-Fayha' and Minyan neighbourhoods, the Castello trade centre, the Assad Military Academy and areas near the paperboard factory and the former military school in Aleppo city.

In Damascus governorate, the following were shelled: Hawsh Nasri, Irbin, Qasimiyah, the Wafidin camp in Duma, and a sports ground and an electric power station in Jawbar.

In Hama governorate, terrorists shelled Suran and the thermal electric power station in Muhradah.

In Qunaytirah governorate, Hadar was shelled.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

One humanitarian operation was carried out in Aleppo governorate at a temporary accommodation facility for civilians from Jibrin, during which approximately 9.5 tons of humanitarian cargoes were delivered to civilians.

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (5 December 2016)

Reconciliation of opposing sides

Over the past 24 hours, four ceasefire regime agreements have been signed with populated areas in Ladhiqiyah governorate (3) and Damascus governorate (1).

The number of populated areas that have joined the reconciliation process has increased to 1,026.

Negotiations on joining the ceasefire regime continued with field commanders of armed groups in Mu'addamiyat al-Shaykh in Damascus governorate and armed opposition units in Homs, Hama, Aleppo and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 88.

Observance of the ceasefire regime

Over the past 24 hours, there were 41 reports of shelling by armed groups in Aleppo governorate (18), Damascus governorate (18), Dar'a governorate (3), Hama governorate (1) and Qunaytirah governorate (1).

In Damascus governorate, units affiliated with the Army of Islam opposition group used mortars and small arms to fire on Jawbar, Qabun, Qassa', Bilaliyah and Harasta, and on the area near the Abbasiyin stadium.

In Aleppo governorate, armed elements of Ahrar al-Sham used multiple-launch rocket systems and mortars to shell the Shaykh Khidr and Salihin neighbourhoods in Aleppo city.

In Aleppo governorate, the terrorist group Jabhat Fath al-Sham (Nusrah Front) used multiple-launch rocket systems, tube artillery, mortars, handheld anti-tank grenade launchers and small arms to fire on Ansari and also on the Karm al-Qatirji (twice), Minyan, Dahiyat al-Assad, Shaykh Sa'd, Turbat Lala (twice), Aquil, Binyamin, Ashrafiyah and Layramun neighbourhoods, the Castello trade centre, the Assad Military Academy, the Hikmah School and the area near the paperboard factory in Aleppo city.

In Damascus governorate, the following were shelled: Hawsh Nasri (twice), Irbin (three times), Qasimiyah, Jawbar (twice) and Hawsh Kharabu, a sports ground in Jawbar (twice) and the Wafidin camp in Duma.

Terrorists shelled Suran in Hama governorate; Hadar in Qunaytirah governorate; and Izra' and Dar'a (twice) in Dar'a governorate.

The Russian and Syrian air forces did not carry out any strikes against opposition armed groups which had announced that they would cease hostilities and had informed the Russian or American reconciliation centres of their location.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours two humanitarian operations were carried out, during which the following humanitarian cargoes were delivered to civilians:

- Approximately 1.5 tons to the Mahalij temporary housing area in Aleppo governorate
- Approximately 1 ton to Ayn al-Tinah Mahalij in Damascus governorate

Centres providing hot meals and supplying urgent necessities are continuing to operate for civilians who leave districts of Aleppo city that are under the control of illegal armed groups.

Over the past 24 hours, 214 civilians, including 104 children (eight of whom infants), and seven fighters who had laid down their weapons, have left besieged areas of eastern Aleppo with the assistance of the Russian Centre for Reconciliation of Opposing Sides.

Additional information

From 12.21 a.m. until 12.30 a.m., fighters shelled a mobile hospital medical centre of the Ministry of Defence in Aleppo while civilians were being admitted.

One Russian female military paramedic was killed by a direct hit from a mortar shell on the hospital's admission unit. Two medical workers were seriously injured. A severely injured Russian female military paramedic subsequently died of her wounds. Civilians visiting the hospital for doctors' appointments were also injured.

United Nations S/2016/1037

Security Council

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Original: English

Report of the Secretary-General on the United Nations Disengagement Observer Force for the period from 30 August to 17 November 2016

I. Introduction

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the past three months, pursuant to the mandate contained in Security Council resolution 350 (1974) and extended in subsequent resolutions, most recently resolution 2294 (2016).

II. Situation in the area of operation and activities of the Force

2. During the reporting period, the ceasefire between Israel and the Syrian Arab Republic was maintained, albeit in a volatile environment attributable to the ongoing conflict in the Syrian Arab Republic and notwithstanding a significant number of violations of the Agreement on Disengagement between Israeli and Syrian Forces (Disengagement of Forces Agreement) of 1974, which are set out below. The Syrian Arab Armed Forces and non-State armed opposition groups engaged in exchanges of heavy weapon fire in the area of separation and the area of limitation. Different armed groups, including the listed terrorist group the Nusrah Front[1] and the Yarmouk Martyrs Brigade, which pledged allegiance to Islamic State in Iraq and the Levant, continued to exchange fire in the UNDOF area of operation. Inside the area of separation, the presence of the Syrian armed forces and military equipment, as well as any other armed personnel and military equipment other than that of UNDOF, is in violation of the Disengagement of Forces Agreement. As underscored again by the Security Council in its resolution 2294 (2016), there should be no military activity of any kind in the area of separation.

3. In employing its best efforts to maintain the ceasefire and see that it is scrupulously observed, as prescribed in the Disengagement of Forces Agreement, UNDOF reports all breaches of the ceasefire line. All incidents of firing into the area of separation and across the ceasefire line, as well as the crossing of the ceasefire line by individuals, are violations of the Disengagement of Forces

[1] In July 2016, the Nusrah Front announced that it had changed its name to Jabhat Fath al-Sham and declared that it had cut ties with Al-Qaida.

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Agreement. In his regular interaction with both sides, the Force Commander continued to call upon both parties to exercise restraint and prevent any miscalculations that might lead to an escalation of the situation across the ceasefire line. This was applicable in particular following incidents of spillover and retaliatory fire.

4. Incidents of spillover and retaliatory fire across the ceasefire line increased significantly, particularly in the early stages of the reporting period. UNDOF assessed that the incidents of spillover fire originating from the Bravo side were not an attempt to target the Alpha side, the Israel Defense Forces or UNDOF personnel, but rather a result of ongoing clashes between the Syrian armed forces and armed groups in the area. In some cases, non-State armed opposition groups in the area of separation were responsible for spillover incidents.

5. During the month of September, there were six confirmed incidents of spillover fire from the Bravo side to the Alpha side. On 4 September, one high explosive round impacted west of the ceasefire line, causing damage at a road junction. The Syrian armed forces acknowledged responsibility for the incident. On 7 September, one high explosive tank round impacted west of the ceasefire line but failed to detonate. On 10 September, one high explosive tank round impacted between the towns of Mas'ada and Majdal Shams on the Alpha side; no damage was recorded. On 12 September, one high explosive round impacted west of the ceasefire line, again with no damage caused. The Israel Defense Forces confirmed that Israeli aircraft conducting activity in Syrian airspace in response to the spillover incident were engaged by two Syrian air defence missiles. On 13 September, two confirmed high explosive tank rounds impacted west of the ceasefire line. On all of those occasions, joint investigations were conducted by UNDOF and Observer Group Golan. The impacts and calibre of the ammunition were confirmed in each case. However, it was not possible to confirm the points of origin of the fire.

6. On 13 September, the Israel Defense Forces initially reported an impact in the vicinity of Majdal Shams but did not subsequently confirm it. On 14 September, the Israel Defense Forces reported one high explosive impact west of the ceasefire line. The location was later confirmed to be situated in a minefield, and an investigation by UNDOF and Observer Group Golan personnel was not possible. On 17 September, the Israel Defense Forces fired two rockets towards Qunaytirah, in the area of separation. The Israel Defense Forces subsequently reported that the rockets had been fired in order to intercept spillover fire from the area of separation. UNDOF is unable to confirm the spillover fire in that incident.

7. After the above-mentioned incidents, the incidence of spillover fire decreased significantly until 17 October, when heavy machine gun fire from the vicinity of vacated United Nations observation post 71 impacted west of the ceasefire line but east of the Israeli technical fence. On 29 and 31 October, heavy ammunition was again observed to have been fired from vacated observation post 71, impacting west of the ceasefire line but east of the Israeli technical fence. United Nations personnel did not conduct further investigations because the impacts were observed, there was no high explosive crater to be examined and the location of the impacts was east of the technical fence.

8. On 9 November, there was a further incident of spillover fire west of the ceasefire line when one high explosive tank round impacted but failed to detonate. This was confirmed by UNDOF after investigation. Similar to previous spillover incidents, the Senior Syrian Arab Delegate stated that the Syrian armed forces were not responsible. The Israel Defense Forces, similar to previous incidents, claimed that they had carried out "defensive action" against a Syrian armed forces position. When asked by UNDOF, the Israel Defense Forces stated that they could not determine the point of origin. The stated policy of the Israel Defense Forces is that defensive or retaliatory fire is always directed at installations, equipment and personnel of the Syrian armed forces, usually from the Israeli Air Force or unmanned aerial vehicles. This is despite the insistence by the Syrian authorities that they are not responsible for the original fire.

9. The construction of a berm, or earthwork, in the area of separation continued throughout the reporting period. The berm is over two kilometres long and appears to be facilitating movement in the corridor between Hamidiyah al-Jadidah and Jubbata al-Khashab. The berm is used by armed groups, thus making it a target for the Syrian armed forces. This has the effect of drawing fire, particularly indirect fire, closer to the ceasefire line and the technical fence. The berm crosses the ceasefire line in at least one location. The location of the berm and its proximity to the ceasefire line and the technical fence is assessed to be a contributing factor to the increase in incidents of spillover fire. The berm continues to be a major cause of concern for UNDOF.

10. Crossing of the ceasefire line by civilians, primarily shepherds, from the Bravo side to the Alpha side continues to be observed almost daily. Observed instances of interaction between Israel Defense Forces soldiers and individuals from the Bravo side have decreased significantly from the previous reporting period. On 4 September, UNDOF observed one white truck being driven from Mu'allaqah, located in the area of limitation 500 metres east of the Bravo line, in the direction of United Nations observation post 54, crossing the ceasefire line and moving towards the technical fence gate, which was opened and subsequently closed. Around 10 minutes later, the vehicle was observed leaving through the technical fence with two armed personnel on board, using the same route back towards Mu'allaqah. On 13 September, UNDOF observed a vehicle with two individuals on board crossing the ceasefire line in the vicinity of observation post 54. The vehicle was driven towards the technical fence, where one of the individuals exited the vehicle and walked through the technical fence gate, which was open. The vehicle immediately turned around and departed, crossing the ceasefire line into the area of separation.

11. In the context of the ongoing Syrian conflict, there was a significant spike in military activity in the northern part of the areas of separation and limitation on the Bravo side on 10 and 11 September. An offensive was launched on 10 September, in which open sources reported that a number of armed groups took part, including Ahrar al-Sham and the Nusrah Front, taking advantage of the berm constructed in the area of separation. The assessed aim of the offensive was to link areas controlled by non-State armed opposition groups around Bayt Jinn. The initial main effort appears to have been the area around Tall Hamariyah, also known as the "Castle". UNDOF assessed that it was captured by armed groups on 10 September and is still being contested. Further spikes in activity in the area occurred on 9 and 15 November, suggesting that fluctuations in the intensity of the fighting continue.

12. The Mount Hermon complex remained stable throughout the reporting period. There were daily incidents of transborder movements of unidentified armed and unarmed personnel. UNDOF reported several incidents of sporadic small arms fire throughout the period. On 29 October, four small-calibre mortar rounds were fired from the vicinity of a Syrian armed forces position, but the point of impact was not observed. UNDOF did not observe any incidents of interaction between the Israel Defense Forces and unidentified armed elements in the Mount Hermon area during the reporting period.

13. In the central parts of the areas of separation and limitation on the Bravo side, clashes continued between armed groups and the Syrian armed forces, with consistent reports of direct and indirect firing. Prior to the offensive launched on 10 September (see para. 11 above), a coalition of 13 armed groups announced an offensive in July 2016 across the Khan Arnabah salient. Prior to 10 September, there had been reports of direct and indirect firing predominantly in the vicinity of Ba'th towards Hamidiyah al-Jadidah. Firing was also observed along the front lines in the vicinity of Syrian armed forces positions towards positions held by armed groups in south Gharbiyah, Qunaytirah and the contested area of Samdaniyah — all located in the area of separation — as well as in Umm Batinah, located in the area of limitation on the Bravo side.

14. During the reporting period, a number of incidents of firing in the central part of the area of separation put United Nations positions and personnel at risk. On four occasions, on 17 and 24 September, on 14 October and on 10 November, United Nations personnel at position 22 were forced to go into shelter as a result of high explosive impacts in the vicinity of the position. United Nations personnel at observation post 51 were forced to go into shelter on 10 September as a result of firing in the vicinity of the position.

15. There were also frequent reports of movement of armed groups and observation of their equipment in the area of separation. A T-55 main battle tank, a technical vehicle mounted with an anti-aircraft weapon, D-30 towed artillery pieces and 2S1 tracked artillery pieces were regularly reported in the areas of Hamidiyah al-Jadidah, Qunaytirah and Qahtaniyah.

16. In the southern parts of the areas of separation and limitation on the Bravo side, which remain for the most part under the control of non-State armed groups, clashes continued between the Yarmouk Martyrs Brigade and the Khalid ibn al-Walid Army, on the one side, and the Free Syrian Army and the Nusrah Front, on the other. Significant spikes in military activity were observed between 7 and 9 October and between 28 and 30 October in the area of limitation on the Bravo side.

17. UNDOF protested all violations of the Disengagement of Forces Agreement to both parties, including the presence of unauthorized equipment in the area of separation and firing into the area of separation. The Force Commander reminded the parties of their obligation to abide by the terms of the Agreement and to ensure the safety and security of United Nations personnel on the ground.

18. During the reporting period, UNDOF observed persons on the Bravo side unearthing and removing mines in close proximity to United Nations positions on five occasions. On 5, 6 and 8 September, United Nations personnel at observation post 54 observed persons, assessed to be shepherds, removing approximately 50

anti-personnel mines from the ground. In all instances, the individuals opened the anti-personnel mine, discarded or emptied the explosive content on the ground and carried away the metal casings.

19. On 18 September, four persons were observed from observation post 53 excavating mines approximately 300 metres west of the ceasefire line. The mines were placed in a plastic bag, then the persons departed the scene towards Ayshah, in the area of separation, on two motorcycles. On 25 September, two shepherds were observed from observation post 54 crossing the ceasefire line with their flock and spending approximately two hours digging and excavating mines. It is assessed that in that period, 12 anti-personnel mines were collected and taken away.

20. During the reporting period, UNDOF observed six locations where 344 tents and other structures had been set up for internally displaced persons in the area of separation and in proximity to that area. The number of people in the camps could not be ascertained and appeared to fluctuate. A new location to the south-west of vacated United Nations position 37, consisting of 20 tents, was first observed on 27 September. The camp east of Burayqah village in the central part of the area of separation increased from 200 to almost 230 tents, huts and containers of various sizes. Owing to the closure of the established crossing point at Qunaytirah between the Alpha and Bravo sides since late August 2014, UNDOF remains unable to facilitate, in cooperation with the International Committee of the Red Cross, humanitarian crossings, including for students, between the two sides.

21. Since its temporary relocation from a number of positions in September 2014 and pending its full return to the area of separation, UNDOF has continued to maintain visibility of the area of separation and the ceasefire line from its positions on Mount Hermon, position 80 in the southern part of the area of separation and position 22 on the Alpha side. UNDOF operations continued to be supported by United Nations Truce Supervision Organization (UNTSO) military observers in Observer Group Golan, who are under the operational control of UNDOF and maintained five fixed and four temporary observation posts along the Alpha line. The focus of the activities of Observer Group Golan was on continuous static observation and situational awareness. On 10 October, Observer Group Golan-Damascus resumed operations with the manning of four temporary observation posts on Mount Hermon. This has enhanced observation of the northern part of the areas of separation and limitation. Through Observer Group Golan, UNDOF continued to carry out fortnightly inspections of equipment and force levels in the area of limitation on the Alpha side. Liaison officers from the Alpha side accompanied the inspection teams. Inspections in the area of limitation on the Bravo side remained suspended because of the security situation. As in the past, UNDOF has faced restrictions on its freedom of movement, and its inspection teams were denied access to some positions on the Alpha side. Engagement between UNDOF and the Israel Defense Forces helped to reduce the delays and challenges experienced by United Nations personnel in crossing through the technical fence to United Nations observation posts 54 and 73 and position 80.

22. During the reporting period, United Nations personnel repeatedly observed 155 mm artillery weapons on the Alpha side within 10 kilometres of the ceasefire line. On three occasions in October, an armoured vehicle was observed at a position within 10 kilometres of the ceasefire line. On 13, 17 and 24 October, UNDOF

personnel observed a multiple-rocket launching system at an Israel Defense Forces position within the 20 kilometre zone in the area of limitation on the Alpha side. In addition, throughout the reporting period, an Iron Dome system was observed at an Israel Defense Forces position in the area of limitation on the Alpha side.

23. UNDOF, in consultation with both parties, continued to review the situation in the area of separation to assess whether the conditions on the ground permitted an incremental return to vacated positions in the area of separation, commencing with a limited return to Camp Faouar. In this regard, the UNDOF Force Reserve Company conducted a reconnaissance mission to the Bravo side from 8 to 15 September, visiting the Mount Hermon complex, Camp Faouar, Harfa and vacated United Nations position 25 in Khan Arnabah. UNDOF personnel carried out further fact-finding missions, on 13 and 15 September and on 3 October, to Mount Hermon and Camp Faouar.

24. During the reporting period, UNDOF completed its planned limited return to Camp Faouar. Israel and the Syrian Arab Republic reiterated their commitment to the return of UNDOF to Camp Faouar and vacated positions in the area of separation, when conditions permitted, and took the necessary preparatory actions that made the return of UNDOF to Camp Faouar possible.

25. In accordance with the provisions of Security Council resolution 2294 (2016), and in addition to detailed planning conducted jointly by UNDOF and the Departments of Peacekeeping Operations and Field Support of the Secretariat, as well as regular security assessments carried out over the past several weeks, demining and the restoration of water, electricity, heating and communications were completed at Camp Faouar by 14 November. In addition, a crossing point, to be used in extremis, has been prepared in the vicinity of observation post 73, and temporary procedures have been established.

26. On 14 November, UNDOF deployed an initial presence at Camp Faouar, establishing a Camp Faouar component consisting of the following capabilities and functions: (a) a contingent from Fiji (80 personnel) that will implement the camp security procedures and establish internal and external communications; (b) an armoured personnel carrier platoon from Nepal (22 personnel) acting as a quick reaction force/reserve, together with five armoured personnel carriers fitted with 12.7 mm heavy machine guns; and (c) an engineering platoon from Nepal (25 personnel) tasked with engineering and refurbishing work. A logistics contingent of 23 troops from India joined the Camp Faouar component on 22 November to support the refurbishment works. After the winter, the Nepalese armoured personnel carriers will move to strengthen the Mount Hermon complex, and a newly generated mechanized infantry company is planned to be deployed to Camp Faouar by that time, which would give UNDOF the capacity to commence surveillance patrols around and beyond Camp Faouar, conditions permitting. The continued support of the parties to the Disengagement of Forces Agreement will be crucial for the safety and security of UNDOF personnel at Camp Faouar and to maintain the confidence of the troop-contributing countries that have agreed to lead the first phase of the limited return of UNDOF to Camp Faouar.

27. The situation in the UNDOF area of operations on the Bravo side remains volatile, including in the environs of Camp Faouar and along the resupply route to Damascus. Although the continued fighting between the Syrian armed forces and

armed groups appears to present no direct threat to Camp Faouar, UNDOF remains cognizant of the changes in the dynamics of the threat that the return may stimulate and will closely monitor all activity in the area of operations and maintain associated levels of readiness within the Force. The safety and security of UNDOF personnel is of paramount importance, and to that end a threat assessment is maintained for Camp Faouar, the surrounding areas and the primary and alternative routes for convoys, as well as extraction routes. UNDOF headquarters will ensure that the threat and risk assessments are continuously updated and incorporated into the decision-making process concerning the Camp Faouar component. Contingency plans are in place, including in extremis.

28. While the mission works to maintain and consolidate a secure presence at Camp Faouar, the Secretariat, together with UNDOF, will continue efforts to plan for the return of UNDOF to vacated positions in the area of separation, including the provision of adequate force protection, on the basis of a continuous assessment of security in the area.

29. UNDOF continued to resupply its positions on Mount Hermon from Damascus. UNDOF convoys between Damascus and the Mount Hermon positions were conducted almost daily and with an UNDOF security escort, accompanied by a liaison officer from the office of the Senior Syrian Arab Delegate. UNDOF continued to carry out contingency planning for the reinforcement and evacuation of United Nations positions and observation posts and to update its contingency planning for the relocation and evacuation of United Nations personnel on both the Alpha and Bravo sides, as well as in Damascus. UNDOF, through its Force Reserve Company, conducted regular rehearsals, exercises and training for all identified contingencies. UNDOF and Observer Group Golan continued regular evacuation and reinforcement exercises and contingency planning.

30. The implementation of risk mitigation, including force protection measures recommended in the military capability study of UNDOF, continued at observation posts, positions and the operational base at Camp Ziouani. The additional medical facilities and explosive ordnance disposal teams for Mount Hermon positions and position 80 have been deployed, and protected mobility has been provided for the Mount Hermon component. Additional force protection measures, including defensive positions and newly constructed force protection barriers, have been completed at United Nations positions 12A and 22. The infrastructure works and groundworks at positions 12 and 12A and enhancements at United Nations position 80, including additional force protection measures, were also completed.

31. As at 10 November 2016, UNDOF comprised 832 troops, including 30 women. Troops are currently deployed from Bhutan (2), Czechia (3), Fiji (301), Finland (2), India (195), Ireland (136), Nepal (191) and the Netherlands (2). In addition, 77 military observers from UNTSO, including 8 female observers, assisted the Force in carrying out its tasks.

III. Implementation of Security Council resolution 338 (1973)

32. In its resolution 2294 (2016), the Security Council called upon the parties concerned to immediately implement its resolution 338 (1973), decided to renew the

mandate of UNDOF for a further period of six months, until 31 December 2016, and requested the Secretary-General to report every 90 days on developments in the situation and the measures taken to implement resolution 338 (1973). The search for a peaceful settlement in the Middle East, in particular the efforts made at various levels to implement resolution 338 (1973), was addressed in my report on the situation in the Middle East (A/71/328), submitted pursuant to General Assembly resolutions 70/16 on Jerusalem and 70/17 on the Syrian Golan.

33. Since the discontinuation of indirect peace talks in December 2008, there have been no negotiations between the parties. The Syrian conflict is further reducing the prospects for their resumption and for progress towards peace between Israel and the Syrian Arab Republic. I look forward to a peaceful resolution of the conflict in the Syrian Arab Republic and the resumption of efforts towards a comprehensive, just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973) and other relevant resolutions.

IV. Financial aspects

34. The General Assembly, by its resolution 70/279, appropriated the amount of $47.7 million for the maintenance of the Force for the period from 1 July 2016 to 30 June 2017. As at 15 November 2016, unpaid assessed contributions to the Special Account for UNDOF amounted to $11.7 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,572.8 million.

35. Reimbursement of troop costs has been made for the period up to 31 July 2016, while reimbursement of the costs of contingent-owned equipment has been made for the period up to 30 June 2016, in accordance with the quarterly payment schedule.

V. Observations

36. I am pleased that UNDOF forces have redeployed to Camp Faouar, and that the United Nations flag flies in Camp Faouar once again. This is a significant milestone for UNDOF, including in the fulfilment of resolution 2294 (2016), and represents the first phase of the incremental return of UNDOF forces to the positions and observation posts in the area of separation and the area of limitation vacated in 2014, conditions permitting.

37. I acknowledge the support and actions of both parties to the Disengagement of Forces Agreement that have made this crucial step possible, including their acceptance to establish a crossing point, to be used in extremis, in the vicinity of observation post 73, and temporary procedures in the absence of the crossing at Qunaytirah. Given that the security situation in the northern part of the area of separation and around Camp Faouar remains volatile, the continued support of the parties will be crucial for the safety and security of UNDOF personnel and to maintain the confidence of troop-contributing countries. I am pleased to report that the parties have reiterated to the UNDOF Force Commander and the Secretariat in New York their commitment to do everything in their power to assist UNDOF in this respect.

38. As UNDOF consolidates its presence at Camp Faouar and continues its efforts to intensify its operations in the area of separation, it remains critical that the safety and security of United Nations personnel be assured. The circumstances under which the troops and military observers are operating remain complex and challenging and require continued vigilance and risk mitigation measures. I renew my call on the Government of the Syrian Arab Republic to fulfil its primary responsibility for the safety and security of United Nations personnel in the areas of separation and limitation on the Bravo side. I also renew my call on countries with influence to strongly and urgently convey to the non-State armed opposition groups in the UNDOF area of operation the need to cease any actions in violation of the Disengagement of Forces Agreement that jeopardize the safety and security of United Nations personnel and to accord United Nations personnel the freedom to carry out their clear and important mandate safely and securely. The safety and security of United Nations personnel must be ensured.

39. I note with concern the serious violations of the Disengagement of Forces Agreement that have occurred, including incidents of spillover and retaliatory fire across the ceasefire line. The continued fighting on the Bravo side between the Syrian armed forces and armed groups, and between different armed groups, including the listed terrorist group the Nusrah Front, in the southern part of the areas of separation and limitation on the Bravo side, as well as the firing of missiles by the Israel Defense Forces across the ceasefire line, jeopardize the long-term ceasefire between Israel and the Syrian Arab Republic. It remains critical that the parties maintain a liaison with UNDOF in the first instance to prevent any escalation of the situation across the ceasefire line. For its part, the United Nations will maintain its efforts to ensure that the long-held ceasefire between Israel and the Syrian Arab Republic continues to hold.

40. I remain gravely concerned by the continuing deterioration of the security situation in the Syrian Arab Republic, its impact on the Syrian population and its potential implications for the stability of the region. These developments have continued to significantly affect the UNDOF area of operation. The presence of the Syrian armed forces and unauthorized military equipment in the area of separation are violations of the Disengagement of Forces Agreement. The increased use of heavy weapons by the Syrian armed forces and armed groups, including listed terrorist groups, in the continuing Syrian conflict is disturbing. I note that while the reduction in the levels of firing continues in the northern part of the UNDOF area of operation, listed terrorist groups and other armed groups continue to maintain control over significant sections of the areas of separation and limitation in the UNDOF area of operation. The established crossing between the Alpha and Bravo sides remains closed.

41. There should be no military forces in the area of separation other than those of UNDOF. I call upon all parties to the Syrian conflict to cease military actions throughout the country, including in the UNDOF area of operation, and to remove all military equipment and all armed personnel from the area of separation.

42. The Israel Defense Forces should refrain from firing across the ceasefire line. The firing of missiles across the ceasefire line by Israel Defense Forces soldiers has the potential to escalate tensions between the two sides. The continued presence of

unauthorized weapons and equipment in the area of limitation on the Alpha side is also of concern.

43. I remain concerned about the several incidents that have put United Nations personnel and facilities at risk. Any hostile act against United Nations personnel, including threatening their physical safety, restricting their movement and direct and indirect firing at United Nations personnel and facilities by anyone, is unacceptable. I reiterate that all military activities in the area of separation conducted by any actor pose a risk to the ceasefire and to the local civilian population, in addition to the United Nations personnel on the ground. I call upon all parties to take all measures necessary to protect civilians.

44. The continued presence of UNDOF in the area remains essential. Both Israel and the Syrian Arab Republic have stated their continued commitment to the Disengagement of Forces Agreement and support for the presence of UNDOF in calling for a return to vacated positions in the area of separation. The full return of UNDOF to the area of separation remains a priority for the mission. I count on the continued cooperation of both parties with UNDOF in order for the mission to advance its planning. As a matter of priority, the technology and equipment necessary to enhance the UNDOF observation of the area of separation and the ceasefire line and to improve force protection remains critical. It also remains critical that, at the same time, the parties continue to support the enhancement of the liaison function of UNDOF.

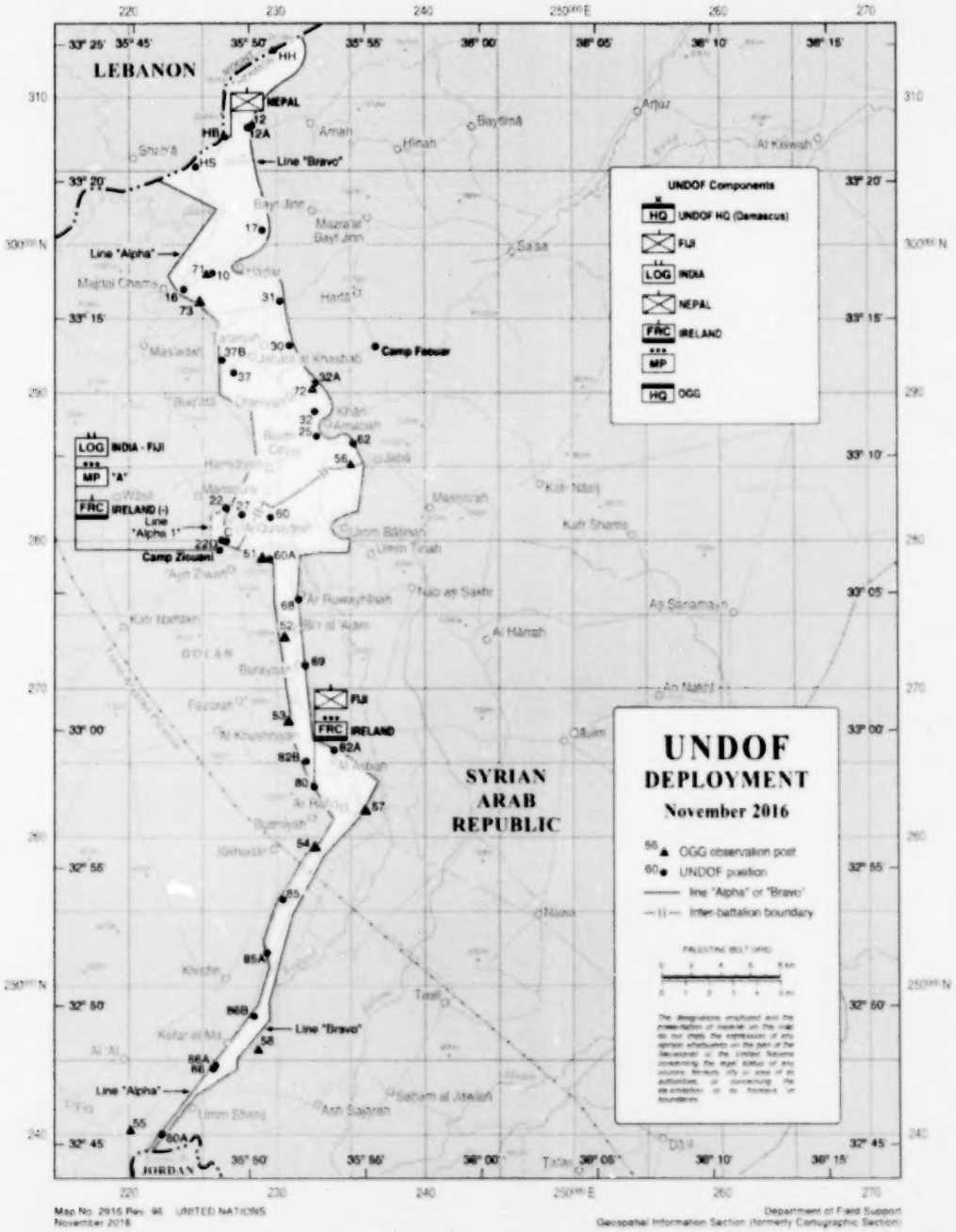
45. It is equally important that the Security Council continue to bring to bear its influence on the parties concerned to ensure that UNDOF is accorded the ability to operate in a safe and secure manner and freely. It is essential that UNDOF continue to have at its disposal all means and resources necessary for it to return fully to the area of separation, conditions permitting.

46. The confidence and commitment of troop-contributing countries in UNDOF remains a key factor for the mission's ability to carry out its mandate. I continue to count on the support of troop-contributing countries as UNDOF proceeds with its planning, including in relation to the augmentation of required capabilities, in preparation for the envisaged increased operations in the area of separation. I am grateful to the Governments of Bhutan, Czechia, Fiji, Finland, India, Ireland, Nepal and the Netherlands for their contributions, their commitment and their resolve. I am also thankful to the Member States contributing military observers to UNTSO.

47. I consider the continued presence of UNDOF in the area to be essential, and all the more so under the prevailing circumstances. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 30 June 2017. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

48. In conclusion, I wish to express my appreciation to the Head of Mission and Force Commander, Major General Jai Shanker Menon, and the military and civilian personnel serving under his leadership, who continue to perform the important tasks assigned to them by the Security Council with efficiency and commitment under challenging circumstances. I have full confidence that UNDOF will continue to use its best efforts to carry out its mission.

Annex


LEBANON
SYRIAN ARAB REPUBLIC
JORDAN
ISRAEL
Line "Alpha"
Line "Bravo"
Camp Faouar
Camp Ziouani
UNDOF Components
HQ UNDOF HQ (Damascus)
FIJI
LOG INDIA
NEPAL
FRC IRELAND
MP
HQ OGG
LOG INDIA - FIJI
MP "A"
FRC IRELAND (-)
Line "Alpha 1"
UNDOF
DEPLOYMENT
November 2016
OGG observation post
UNDOF position
line "Alpha" or "Bravo"
Inter-battalion boundary
Map No. 2916 Rev. 96 UNITED NATIONS
November 2016
Department of Field Support
Geospatial Information Section (formerly Cartographic Section)